

RE M A R K S

Claims 1-18 are pending in the application. Claims 1-18 stand rejected.

The Abstract has been objected to for containing legal phraseology. A substitute Abstract is included herewith.

Claims 1-18 have not been amended but are included for convenience.

Applicant's claimed invention includes a unique combination of features including: performing traffic regulation control when a comparison result shows that said traffic intensity is equal to or greater than said traffic regulation start traffic intensity, and performing regulation control on a maintenance and operation process when said traffic intensity is smaller than said traffic regulation start traffic intensity

Claims 1-4 and 10-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ginossar (U.S. 6,477,143).

Ginossar teaches a system and control method for prediction of possible future network congestion. An example described in Ginossar is learning and predicting possible network congestion based on history of the network load or by detecting an increase of network users.

Ginossar applies the described methods and apparatus to prevent future congestion once congestion is predicted, for example controlling the transmission rate of the network nodes.

Independent claims 1, 10, 14 and 15

It's asserted in the Office Action that the regulation control means is disclosed in col. 5, lines 64-col. 16, lines 1-14 of Ginossar. However Ginossar, only shows "traffic regulation control is performed with respect to a maximum segment size threshold determined by the level of congestion."

In contrast applicant's claims 1, 10, 14 and 15 recite regulation control means for performing traffic regulation control when a comparison result shows that said traffic intensity is equal to or greater than said traffic regulation start traffic intensity, and performing regulation control on a maintenance and operation process when said traffic intensity is smaller than said traffic regulation start traffic intensity

Therefore it is submitted that Ginossar fails to disclose or teach applicant's claimed feature of "regulation control on a maintenance and operation process when said traffic intensity is smaller than said traffic regulation start traffic intensity."

Applicant's respective dependent claims include at least the above distinguishing feature plus additional patentable features in each dependent claim. Therefore it is respectfully requested the rejection be withdrawn.

Independent claims 5 and 9

Claims 5-9 are rejected under 35 U.S.C. § 102(b) as being anticipated Gao et al. (U.S. 5,548,533) (Gao). The Office Action asserts Gao describes a mobile services switching center of a mobile communications system, which has base stations coupled to the switching center. Messages arriving at the central processor from each base station are controlled by one or more peripheral processors. Detection of overload takes place in the central processor and an overload broadcast message is sent to the peripheral processors.

It's asserted in the Office Action that applicant's claimed the regulation control means is disclosed in Gao, col. 1, lines 49-64 and col. 2, lines 60-63. However Gao only describes "central processor an network peripheral processors monitor congestion and configure congestion threshold levels, traffic measuring and comparison comprised in central processor

reports, traffic regulation control achieved by comparing message traffic thresholds with data gathered in central processor congestion reports."

In contrast applicant's claims 5 and 9 recite regulation control means for performing traffic regulation control when a comparison result shows that said traffic intensity is equal to or greater than said traffic regulation start traffic intensity, and performing regulation control on a maintenance and operation process when said traffic intensity is smaller than said traffic regulation start traffic intensity.

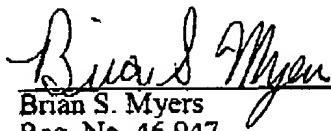
Therefore it is submitted that Gao fails to disclose or teach the feature of "regulation control on a maintenance and operation process when said traffic intensity is smaller than said traffic regulation start traffic intensity".

It is respectfully submitted that claims 5 and 9 are not anticipated by the reference. The dependent claims also include at least the above distinguishing feature plus additional patentable features in each dependent claim. Therefore it is requested the rejection be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. If the Examiner should consider this application not in condition for allowance, the Examiner is invited to telephone the undersigned attorney at the below number prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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